

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

ANTONIO NATHANIEL SPEED-BEY,)
)
Petitioner,)
)
v.) No. 4:16-CV-544-ERW
)
UNITED STATES OF AMERICA,)
)
Respondent.)

MEMORANDUM AND ORDER

This matter is before the Court on review of petitioner's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 [Doc. 1] and supplement [Doc. 3]. Petitioner has neither paid the \$5 filing fee, nor has he submitted a motion for leave to proceed in forma pauperis. Furthermore, the petition was not drafted on a Court form, and it is unclear what petitioner's claims are, and if applicable, whether he exhausted his administrative remedies prior to filing this action. Exhaustion of available remedies is a prerequisite to filing a habeas action in this Court. *See e.g., United States v. Chappel*, 208 F.3d 1069, 1069 (8th Cir. 2000). For these reasons, the Court will instruct petitioner to rectify his filing fee status and to file an amended petition on a Court-provided form.

Therefore,

IT IS HEREBY ORDERED that the Clerk of Court shall forward to petitioner the Court-provided form for filing a federal "Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2241."

IT IS FURTHER ORDERED that petitioner shall complete this form in its entirety and return it to the Court within thirty (30) days from the date of this Order.

IT IS FURTHER ORDERED that petitioner shall either pay the \$5 filing fee or file a motion for leave to proceed in forma pauperis.

IT IS FURTHER ORDERED that if petitioner fails to comply with this Order, the Court will dismiss this action, without prejudice and without further notice.

IT IS FURTHER ORDERED that the Clerk of Court shall docket this case as *Antonio Nathaniel Speed-Bey v. United States of America*.

IT IS FURTHER ORDERED petitioner's motion to correct a clerical error is **DENIED** [Doc. 2] as moot.

Dated this 13th day of June, 2016.



UNITED STATES DISTRICT JUDGE